

AMENDED IN ASSEMBLY APRIL 16, 2001
AMENDED IN ASSEMBLY MARCH 22, 2001
AMENDED IN ASSEMBLY MARCH 15, 2001

CALIFORNIA LEGISLATURE—2001–02 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 28

Introduced by Assembly Member Daucher

January 31, 2001

An act to add and repeal Section 41514.11 of the Health and Safety Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 28, as amended, Daucher. Energy: generators.

Existing law *designates air pollution control districts and air quality management districts as having primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law also* requires electric utilities to purchase any energy and capacity that is made available from a qualified facility, as defined. ~~Existing air pollution best available control technology (BACT) regulations adopted by the South Coast Metropolitan Air Quality Management District prohibit compression-ignition engines powered by diesel fuel from operating for more than 200 hours annually.~~

This bill would authorize ~~the State Air Resources Board and any air pollution control district or air quality management~~ a district to permit, for specified purposes, the use of an electric power generator, if that engine is fueled by ethanol or methanol.

~~The bill would allow a compression-ignition engine used to power an electric generator to be operated under this authority only if the~~

~~engine operates on ethanol or methanol and the manufacturer of the engine makes specified certifications to the state board establish guidelines for the permitting of electric power generators by specifying best available control technology and other requirements.~~

The bill would permit a generator *that meets the requirements of those guidelines* to supply power to the state's electrical power grid, if the generator supplies that power through a substation that is approved for that purpose by the applicable public or municipal utility, and the generator meets all applicable safety requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 41514.11 is added to the Health and
2 Safety Code, to read:

3 ~~41514.11. (a) For purposes of generating and distributing~~
4 ~~power during peak power demand periods, as defined by the~~
5 ~~California Independent System Operator or by any successor~~
6 ~~agency, or during a Stage II or III electrical emergency declared~~
7 ~~by the California Independent System Operator, the state board or~~
8 ~~a district may permit the use of an electric power generator, if both~~
9 ~~of the following requirements are met:~~

10 ~~(1) The electric power generator is powered by a~~
11 ~~compression-ignition engine that meets the requirements of~~
12 ~~subdivision (b), a turbine engine, or a spark-ignition reciprocating~~
13 ~~engine that is fueled by either ethanol or methanol, for the~~
14 ~~purposes of distributing the generated power, and is capable of~~
15 ~~meeting the best available control technology, as defined in~~
16 ~~Section 40405, but shall not include any engine powered by diesel~~
17 ~~fuel.~~

18 ~~(2) The electric power generator operates a total of 516 hours~~
19 ~~annually or less.~~

20 ~~(b) A compression-ignition engine used to power an electric~~
21 ~~generator may be operated under this section only if both of the~~
22 ~~following conditions are met:~~

23 ~~(1) The compression-ignition engine operates only on ethanol~~
24 ~~or methanol and the manufacturer of the engine certifies this~~
25 ~~operation to the state board.~~

~~(2) The manufacturer of the compression-ignition engine certifies that the engine is incapable of operating on diesel fuel.~~

~~(e) A generator may supply power to state's electrical power grid, if the generator meets both of the following requirements:~~

~~(1) Supplies power to the grid through a substation that is approved for that purpose by the applicable public utility, as defined in Section 216 of the Public Utilities Code, or the applicable local publicly owned electric utility, as defined in subdivision (d) of Section 9604 of the Public Utilities Code.~~

~~(2) Meets all applicable safety requirements.~~

~~(d)~~

41514.11. (a) Each district may establish guidelines for the permitting of electric power generators by specifying the best available control technology and other requirements to encourage the use of lower emitting technologies. In establishing these guidelines, the district shall consider all of the following:

(1) Technically feasible and cost-effective control technology options for existing engines.

(2) Air emissions produced on a pound of pollutant emitted per kilowatt of power generated.

(3) Guidance established by the state board.

(4) Other factors deemed necessary by the district.

(b) A generator that complies with the guidelines specified in subdivision (a) may supply power to the state's electrical power grid, if the generator meets both of the following requirements:

(1) The generator supplies power to the grid through a substation that is approved for that purpose by the applicable public utility, as defined in Section 216 of the Public Utilities Code, or the applicable local publicly owned electric utility, as defined in subdivision (d) of Section 9604 of the Public Utilities Code.

(2) The generator meets all applicable safety requirements.

(c) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

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